

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ERIC GROVE  
P.O. Box 46843  
Las Vegas, Nevada 89114

Plaintiff.

Civ. No.: 07 CV 8650

The Honorable John G. Koeltl

vs.

**RULE 7.1 STATEMENT**

BEAN DREDGING LLC.,  
1055 St. Charles Avenue, Suite 500  
New Orleans, Louisiana 70130

BEAN EXCAVATION, LLC.,  
1055 St. Charles Avenue, Suite 500  
New Orleans, Louisiana 70130

C.F. BEAN LLC.  
1055 St. Charles Avenue, Suite 500  
New Orleans, Louisiana 70130

GMD SHIPYARD CORP.  
111 Livingston Street, Suite 1110  
Brooklyn, New York 11201

and

BINDER MACHINERY COMPANY, LLC.  
2820 Hamilton Boulevard  
South Plainfield, New Jersey 07080

Defendants.  
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Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for BINDER MACHINERY CO., LLC. (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

The nongovernmental corporate party Binder Machinery Company, LLC., in the above listed civil action does not have any parent corporations and publicly held corporations that own 10% or more of their stock.

Dated: New York, New York  
July 23, 2008.

CARTAFALSA, SLATTERY, TURPIN & LENOFF

By: 

Michael J. Lenoff (MJL 6044)  
Attorneys for Defendant  
BINDER MACHINERY CO., LLC.  
One Liberty Plaza  
165 Broadway, 28th Floor  
New York, New York 10006  
(212) 225-7700  
File No.: 246712

TO: MICHAEL H. ZHU, ESQ.  
MICHAEL H. ZHU, ESQ., P.C.  
14 Wall Street, 22<sup>nd</sup> Floor  
New York, New York 10005

SAMUEL J. ROSENTHAL, ESQ.  
BARISH/ROSENTHAL  
Three Parkway, Suite 1320  
1601 Cherry Street  
Philadelphia, PA 19102

CRAIG S. ENGLISH, ESQ.  
KENNEDY LILLIS SCHMIDT & ENGLISH  
75 Maiden Lane, Suite 402  
New York, New York 10038

MICHAEL McCAULEY  
PALMER BIEZUP & HENDERSON, LLP.  
140 Broadway, 46<sup>th</sup> Floor  
New York, New York 10005

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK    )  
                                   ) SS.:  
 COUNTY OF NEW YORK )

MARIA CHAVEZ, being duly sworn, deposes and says; that deponent is not a party to this action, that she is of 18 years and upwards; and that she is a Clerk in the offices of CARTAFALSA, SLATTERY, TURPIN & LENOFF attorneys for Third-Party Defendant, BINDER MACHINERY COMPANY, LLC. in the above entitled action; that the office address of said attorneys is 165 Broadway, New York, New York 10006; that on the 1st day of August, 2008 deponent served upon

MICHAEL H. ZHU, ESQ. MICHAEL H. ZHU, ESQ., P.C. 14 Wall Street, 22 <sup>nd</sup> Floor New York, New York 10005	SAMUEL J. ROSENTHAL, ESQ. BARISH/ROSENTHAL Three Parkway, Suite 1320 1601 Cherry Street Philadelphia, PA 19102
CRAIG S. ENGLISH, ESQ. KENNEDY LILLIS SCHMIDT & ENGLISH 75 Maiden Lane, Suite 402 New York, New York 10038	MICHAEL McCAULEY PALMER BIEZUP & HENDERSON, LLP. 140 Broadway, 46 <sup>th</sup> Floor New York, New York 10005

herein a copy of RULE 7.1 STATEMENT which is annexed is a true copy, by depositing same properly enclosed in a postpaid wrapper in the U.S. Post Office Box at 165 Broadway, New York, New York on said date, directed to said attorneys at the above address(es) designated by said attorneys in the last paper served herein.

Sworn to before me this date,  
 1<sup>st</sup> day of August, 2008.

NOTARY PUBLIC

MARIA CHAVEZ

Glenda Salomon  
 Notary Public State of New York  
 No. 01SA6174849  
 Qualified in Kings County  
 Commission Expires in 10/01/2011

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**RULE 7.1 STATEMENT**

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**CARTAFALSA, SLATTERY, TURPIN & LENOFF**  
*Attorneys for Third-Party Defendant, BINDER MACHINERY COMPANY, LLC.*  
One Liberty Plaza  
165 Broadway - 28<sup>th</sup> Floor  
New York, New York 10006  
(212) 225-7700

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TO:  
*Attorney(s) for*

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*Service of a copy of the within*

*is hereby admitted.*

*Dated:*